1849 - Counterfeiting Iowa B.4.

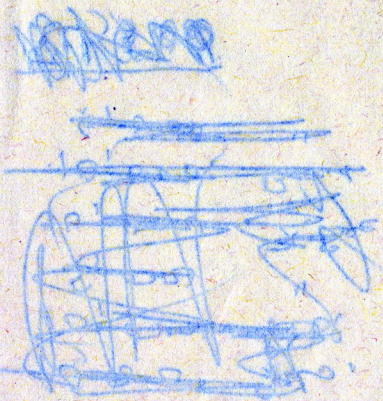
"In Lee County, Iowa, a true bill was found by the grand jury against B. 4. for counterfeiting by issuing "Dr. Williams" to make $10,000 worth of dollars." (Mexican?)

I did not list source of information. Write Iowa for same, (1967)

—A—

See Wm. Smith Mill Star V. 27 P. 658 - Oct. 21, 1865

—A—



The mere physical fact of a writ having been served on B. G. for counterfeiting would not be evidence that he had acted wrongfully, but would simply provide a means for forcing him out of Nauvoo & into his life, that of his family & friends. He would have to be arrested & evidence provided & prove his guilt - a very hard case, perhaps, unless he was caught running a press since the mere presence of counterfeit in his possession could be laid & taking another person's money & not prone his guilt in its mfg. The kind of counterfeit & the type of press in his possession upon leaving Nauvoo would be interesting, however. MJR.

An indictment by the grand jury would charge him with having committed the crime, but the court alone could find him guilty. Obviously no such court action was had.

(I wonder from a series of articles in the Wasp on legal actions in England, if John Taylor did not learn something & do with Joseph's court set up in Nauvoo + B. G.'s in Utah)

Ed. Bonney

"The same Bonney, who is mentioned together with B. G., Theodore Turley, Augustus Barton, Gilbert Eaton, Peter Howes, W. Rebarees, J. Taylor, P. P. P. Orson Hyde, Joseph H. Johnson, Carlos Gove in a Federal counterfeiting indictment in the Circuit Court of the U.S. for the District of Ill. at its Dec. term 1845, dated Dec. 17 & 18, 1845 - for counterfeiting half-dollars, & Ed. Bonney, specifically counterfeiting Mexican silver dollars "then current in the U.S." - the same kind of half dollars Bill Heidelman accuses the "Bogus-makers" of coining made (mostly dated, bearing 13 stars, dated 1825 - which Bonney made earlier in 1842 in Bonneyville, Indiana)

Counterfeiting 1842-6

OFFICE OF THE CLERK OF THE [illegible] COURT OF THE UNITED STATES,

District of [illegible]

day of January 18[illegible].

I have to report the following PROCESS ISSUED in the [illegible] Court of the United States for the District of [illegible]

Respectfully yours,

[illegible]

Deputy Clerk.

					REMARKS

December 11, 1963

NCRD

REFERENCE SERVICE REPORT

INQUIRY: Information about Records Relating to the Indictment in Illinois of Brigham Young, Mormon Leader, and Apostles of the Mormon Church, 1845-1848, for Counterfeiting.

Report: The records of the Solicitor of the Treasury (National Archives Record Group 206) contain a few summary references to the indictment, and proceedings thereunder, of Brigham Young and eleven other men on the charge of counterfeiting, the indictment having been presented in December 1845 in the United States Circuit Court for the District of Illinois. These references appear in form reports on suits brought and pending and on cases decided that the United States Attorney and the Clerk of the United States Circuit Court for the District of Illinois made periodically to the Solicitor of the Treasury. The National Archives can furnish negative photostats of the pertinent United States Attorneys' reports (from Reports of the U. S. District Attorneys, From 1845 to 1850), as follows:

1. Report of Suits Pending in the Circuit Court of the United States for the District of Illinois at its December Term 1845, listing suits brought in that court on indictments for counterfeiting, dated December 17 and December 18, 1845, against Brigham Young and 11 other men, identified as Theodore Turley, Augustus Barton, Gilbert Eaton, Peter Hawes, Willard Richards, John Taylor, Parley P. Pratt, Orson Hyde, Joseph H. Jackson, Carlos Gove, and Edward Bonney. This report identifies Brigham Young as the head of the Mormon Church and Chief of the 12 apostles of that sect, and specifically names Willard Richards, John Taylor, Parley P. Pratt, and Orson Hyde as members of the 12 apostles. 1 page; negative photostat, 75 cents.

2. Report of Suits Pending at the June Term 1846, which identifies Brigham Young and most of the others charged with counterfeiting as "not arrested." 1 page; negative photostat, 75 cents.

3. Report of Suits Decided at the December Term 1846, showing that one of the defendants, Edward Bonney, had been tried and acquited, December 28 and 29, 1846; and that another of them, Theodore Turley, had gone to California and that judgment had been obtained against his sureties. 1 page; negative photostat, 75 cents.

4. Report of Suits Pending at the December Term 1846, which for Brigham Young and 10 others (not including Edward Donney) shows "no arrest." 1 page; negative photostat, 75 cents.

5. Report of Suits Pending at the June Term 1847, which continues to show "no arrest" for Brigham Young and 10 others (not including Edward Donney). 1 page; negative photostat, 75 cents.

6. Report of Suits Pending at the December Term 1847, showing that Brigham Young and 10 others (not including Edward Donney) still were "not arrested." 1 page; negative photostat, 75 cents.

7. Report of Suits Pending at the June Term 1848, continuing to show "no arrest" of Brigham Young and 10 others (not including Edward Donney). 1 page; negative photostat, 75 cents.

The United States Attorneys' reports in the records of the Solicitor of the Treasury do not show the disposition of the charges against Brigham Young and 10 others. These reports do not include any report for the December Term 1848, but the reports of the Clerk of the Circuit Court of the United States for the District of Illinois, which for the most part duplicate the United States Attorneys' reports, do contain a report for the December Term 1848 which shows that the cases against Brigham Young and 10 others (not including Edward Donney), indicted for counterfeiting, had been dismissed at that Term of the court. The National Archives can furnish negative photostats of the pertinent Clerks' reports (from Reports of the Clerks of the U. S. Courts, 1846 to 1850) as follows:

1. Reports of Suits Pending at the December Term 1845, which shows that the suits against Brigham Young and 11 others was "continued." 1 page; negative photostat, 75 cents.

2. Report, dated January 28, 1846, of Process (Capias) Issued against Brigham Young and 10 others (not including Edward Donney), bail being fixed at $2,000 each. 1 page; negative photostat, 40 cents.

3. Report of Suits Pending at the July Term 1846, showing that the suits against Brigham Young and 11 others for counterfeiting had been continued. 1 page; negative photostat, 75 cents.

4. Report on Cases Decided at the December Term 1846, containing two entries for Edward Donney, one showing that he was acquited on an indictment for "counterfeiting Mexican dollars current in the U. S.," and the other showing dismissal of an action for debt brought against him at the December Term 1845. 1 page; negative photostat, 75 cents.

5. Report of Suits Pending at the December Term 1846, showing continuation of the counterfeiting suits against Brigham Young and 10 others (not including Edward Donney). 1 page; negative photostat, 75 cents.

6. Report of Suits Pending at the June Term 1847, showing "no arrest" of Brigham Young and the 10 others (not including Edward Bonney). 1 page; negative photostat, 75 cents.

7. Report of Suits Pending at the December Term 1847, showing that the suits against Brigham Young and 10 others (not including Edward Bonney) had been continued on motion of the District Attorney. 1 page; negative photostat, 75 cents.

8. Report of Suits Pending at the June Term 1848, showing that the suits against Brigham Young and 10 others (not including Edward Bonney) had been "continued." 1 page; negative photostat, 75 cents.

9. Report of Cases Decided in the December Term 1848, showing that the cases against Brigham Young and 10 others (not including Edward Bonney) indicted for counterfeiting had been "dismissed on motion of the Dist. Atty." 1 page; negative photostat, 75 cents.

The National Archives can supply negative photostats of any of these reports at the prices listed, or a 35 mm. microfilm of all of them (16 pages) for $2.50.

An examination of the Inventory of Federal Archives in the States, Series II, The Federal Courts, No. 12, Illinois (The Historical Records Survey, Chicago, 1939) revealed no listing of any records of the former Circuit Court of the United States for the District of Illinois that would include any records of the counterfeiting cases against Brigham Young and 11 others. The Inventory (page 3) contains a statement that the Illinois Federal court records up to 1855 were transferred to Chicago, and that they were destroyed in the fire there in 1871.

An examination of correspondence of the Office of the Attorney General (Record Group 60) and of the Department of State (Record Group 59) has shown no references to these counterfeiting cases. It is possible that contemporary local newspapers may contain some information on them, including, perhaps, copies of the indictments.

Hardee Allen

Hardee Allen
Diplomatic, Legal and Fiscal Branch

Re following counterfeiting indictments:

An examination of the Inventory of Federal Archives in the States, Series II, Re Federal Courts, no. 12, Ill. (The Historical Records Survey, Chicago 1939) revealed no listing of any records of the former Circuit Court of the U.S. for the District of Ill. that would include any records of the counterfeiting cases against B. G. & 11 others (These records of 1855 transferred to Chicago & burned in fire of 1871)

Search local papers for further inf. Correspondence of Attorney General (Record group 60), & Dept of State (Record " 59) has shown no reference to these cases.

Sandra Allen
Diplomatic, Legal & Fiscal Branch.

The National Archives Report
& the Clerks of the U. S.
Courts, 1846-1850) shows
at the Dec. 1848 Term of
Court the cases were
dismissed, (as the reports
show, for lack of physical
presence of defendants —
gone to Calif. etc M.R.)
R. G. Records of the Solicitor of the
Treasury. Records relating to the
Mormons in Ill. 1839-1848
including attempts by the Federal
Govt. to obtain payment on a note
made by Gov. S. & other Mormons;
& relating to the indictment in
Ill. of B. Y. & other Apostles of
the Mormon church on charges of
counterfeiting!

B. G. Counterfeiting (Wm. Pope clerk)

Office of the Clerk of the Circuit Court of U. S. Springfield, Illinois.
9 Ill. Dec. 5, 1845

(1) Theodore Turley
(2) Augustus Burton
(3) John Taylor
(4) Gilbert Eaton
(5) Willard Richards
(6) Brigham Young
(7) Joseph Jackson
(8) P. P. Pratt
(9) O. Hyde
(10) Carlos Gove
(11) Peter Haws.

all indicted for counterfeiting U. S. Coin & Mexican dollars.

No arrest was made (See Ford & Douglass)

(1) P. 2. Counterfeiting

Wm. Smith was up for "attachment for non attendance as witness in the case of Ed. Bonney for counterfeiting.

Dec. Term of Circuit Court of U. S.

29 of Jan. Wm. Pope, Clerk.

(2) June Term, 1846

Ed. Bonney
Jalen Taylor
Gilbert Eaton
Augustus Barton
Willard Richards
Brigham Y.
Joseph Jackson
P P P.
Carlos Gove
Peter Haws - all indicted for counterfeiting Mexican Coin current in U. S.

(3) Dist. Courts of Ill - 28th Jan. 1846 Hooks of Ill. from Papers Clerks

Same 11 men indicted as defendants, Form of Process:

Al Capias (?)

Bail fixed for each at 2,000

counterfeiting Coins of the U.S.

(under amounts of claim is a blanks - no amounts of counterfeit given. M R.)

These appear under "Reports of the Clerks of the U.S. Courts, 1846 & 1850."

(1) These are "Reports of U.S. Dist. attorneys from 1845–1850."

June 1848 Office of Attorney of U.S. Dist. of Ill. Circuit Court.

The same list of men "Indictment Jan. 7, 1845. charge Counterfeiting. No arrests.

At the bottom of the paper is this: "I William Pope, clerk of the Circuit Court for the District of Illinois do hereby certify that the above is a true & correct statement of the cases pendent & undetermined in the Circuit Court for the Dist. of Ill. in which the U. States is a party at the June 19 term, 1848."

(I can get negative photostats.

(3) Office of attorney of U. S. June 25th, 1847, Circuit Court Dist. of Ill. Lists same men for counterfeiting May 2 U. S. coin. Defendants gone to Texas & Calif. No arrest. The defendants in this case beyond the search of process - proceeding against his bail bond been used - further proceedings useless. The same condition as above. This concerns both Turley & P. Hawes. At the Dec. 1847 meeting of the Circuit Court Turley was charged with counterfeiting sum of 250.00 Turley has left county, judgment won against his securities - four indicted Dec. 18, 1845. Each least was convicted or paid the sum charged against him

(3) Theo. Turley was indicted Dec. 17, 1845 "This is an indictment for counterfeiting the current coin of the U. S." the defendant, who is the chief manufacturer of dies & resides at Nauvoo. From the testimony before the grand jury it appeared that counterfeiting coin has been largely carried on at that place for some years. The defendant evades the service of process." This is under Remarks - after B.Y.'s name "Same as above - The clerk is the leader of the Mormon Church & the chief of the "Twelve apostles" of that sect."

Jan. 3, 1845 - Session of Court signed Wm. Pope

Ed. Bonney was arrested & "in custody."

B.G. Counterfeiting Repts of U.S. Districk Attorneys from 1845 & 1850 - 7 with entry copied - 15th. Indictments by Grand Jury, against B.G. Reproduced on Bancroft.

This case was continued on the motion of the District attorney Jan. 28, 1848. The last entry by clerk, U.S. Circuit Court of Ill was Feb 10, 1848 when the case was dismissed on motion of Dist. Attorney.

15 - 1/2 X 19 in. no margins.

(1) Letter to Montgomery Blair, U.S. attorney for the district of Missouri June 1, 1841, directing him to arrest Joseph & Hyrum Smith in order to obtain payment on the defaulted note, & adding that if arrest of J.S. & H.S. was not effected he would have the note transferred to the District attorney for Ill. & have suit brot on it in that State

60 ¢.

electrostat 3 pp.

The Inventory of Federal Archives in the States, Series II. The Federal Courts. No. 12. Illinois (Chicago, Historical Records Survey, 1939. iv, 134 p. CD3020.H5) has a Chronological Index on p. 128 which lists only three items (nos. 85, 746, 752) for periods including 1845, apart from two bankruptcy items. The enclosed Verifax copies of pages 16, 109, and 110 describes those three items. The Inventory has no other index which would identify records of a particular indictment. The Introduction (p. 7) notes that "a very few records in the present files antedate the fire" of 1871 in Chicago, where records from Springfield were transferred in 1855.

Enclosures

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GENERAL REFERENCE AND BIBLIOGRAPHY DIVISION

November 24, 1965

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Counterfeit Writs Against B.Y. etc.

Circular of the High Council p.2 (T&S.v.6) 1845, Jan.

We venture to say that our brethren have made no counterfeit money; and if any miller has received fifteen hundred dollars base coin in a week, from us, let him testify. If any land agent of the General Government has received loads of base coin from us in payment for lands, let him say so. Or if he has received any at all from us, let him tell it. Those witnesses against us have spun a long yarn; but if our brethren had never used an influence against them to break them up, and to cause them to leave our city, after having satisfied themselves that they were engaged in the very business of which they accuse us, their revenge might never have been roused to father upon us their own illegitimate and bogus productions.

We have never ties a black strap around any person's neck, neither have we cut their bowels out, nor fed any to the "cat-fish". The systematic order of stealing of which these grave witnesses speak, must certainly be original with them. Such a plan could never originate with any person, except someone who wished to fan the flames of death and destruction around us. The very dregs of malice and revenge are mingled in the statements of those witnesses alluded to by the 'Sangamo Journal'. We should think that every man of sense might see this. In fact, many editors do see it, and they have our thanks for speaking of it....." Signed Samuel Bent, James, Allred, George W.Harris, Wm. Huntington, Henry G. Sherwood, Alpheus Cutler, Newel Knight, Lewis D.Wilson, Ezra T.Benson, David Fullmer, Thos. Grover, Aaron Johnson.

From the St. Louis Organ of Jan 9th Mormon Affairs: Unlimited Censure has been heaped upon Governor Ford, of Illinois, for his refusal to order out the militia of the State to aid in the arrest of certain Mormon leaders, indicted for counterfeiting. Governor Ford, in reply to some of the strictures of the press in relation to this matter, has come out in the State Register, and given in deatil his reasons for not having complied with the request of the United States Marshall. These are, that the militia were not called out by the President of the United States; that the disturbances in Hancock county were settled, by mutual agreement, the Saints not to be harrassed with persecutions, and to leave in the spring, and finally, that as theMormons will not remove without their leaders, it would be impoliti (impolitic mr.) to arrest these, and thus deter the rest from prosecuting thei preparations for an early removal.

We are no apologists for the Mormons, but we cannot but express the opinion that in this matter GovernorFord has acted wisely. At this crisis, prosecutions could do no good, and might do much harm, even supposing that they could be sustained. We insert the latter clause in view of the "fixed fact", that it is very easy to get up an indictment against an individual, but not quite so easy to sustain it when both sides of the question are considered. The saints too, it seems, are now willing to emigrate; then, in thename of Peace, let them go, and end this disgraceful turmoil and strife. It is quite likely that many of them are bad people, and it is still more likely that there are quite enough bad people in that quarter, not of their number without them. They should be permitted, therefore, to emigrate quietly, alike for the good of the community and their own welfare. When they are gone, we shall see whether there are any more horses stolen, or counterfeit money passed, in that region.

There is such a thing as painting his Satanic Majesty blacker than he is generally acknowledged to be, and a similar process we thing has been resorted to in all the crusades that have been instituted against Mormonism. We have reason to believe that however bad the Mormons are, there has still been much exaggeration as to their misdeeds; and further that their most violent opponents have ever been of a cast of character as questionable as any thing they would represent the Mormons to be. It is notorious that the great "Mormon Eaters" of Upper Missouri, were the greatest scaps in the country, and we have very good reason to believe that the same remark

would apply to the tribe who are now persecuting them in Illinois.

The Peoria Register expresses the fear, that "there will be some very bad men still left in Illinois, after the Saints are gone." This we think quite likely. There will probably be left some of those who invited them to the State, for the purpose of using them as stepping-stones to power, but wo, failing in making them the creatures of their will, afterward resorted to every means within their reach to vilify them, and even to encourage them to acts of outlawry. There will be left those, who, under the disguise of carrying out the laws of Illinois, induced the Smiths to become prisoners, and then in cold blood, murdered them! - an act of atrocity un paralleled in the history of the age. And there will be left, men who will seize upon the effects of the banished fanatics, and whose prime object in driving them forth is the spoils they may leave behind. There will be left - to the shame of Illinois - and they of course will continue to have apologists for their misdeeds, in the shape of some sixpenny journal of the calibre of the Warsaw Signal, Quincy Whig, Et., etc. The time will come, when the fanaticism and immorality of the Mormons will be lost in the great barbarism of their persecutors."

Counterfeiting
B.Y. Nauvoo 1845. T. and Seasons v. 6 Daniel D. Spencer, Mayor (p774 Jan. 13,1845) States that .."very many scoundrels, such as thieves, counterfeiters, and murderers, have been induced from reports published in the Warsaw Signal, to flock into this county in order or carry on their evil practises, knowing that it would immediately be charged to upon the Mormons." He says that if any person would make such a charge about bogus money or counterfeiting, they would make a diligentesearch for such property and apparatus, and if they can trace it into this city, we pledge ourselves to assist them legally, to the extent of our abilities..." (B.Y. was notified afte he had left Nauvoo, that writs were out for him charging that he had printed Kirtland money - I think it might have bee Hyde, but would this have been money B.Y. printed in Nauvoo on the old Kirtland press? From Mary Austin's reports and ohters, I am inclined to believe so now. mr.)

On p. 775 of the T. &S as above, Daniel Spencer also wrote a letter at a meeting of the citizens, Jan. 14, 1845, states...."whereas, that in some instances, when the ministers of justice, have visited our city, at the dark hour of midnight, for the purpose of make legal arrests, as they say; we believe that what is reported to us, that they have employed runners to steal the saddles from their own horses, while in our city, for the purpose of damning us in the eyes of the community.

And whereas, theChief Magistrate of this State, after a second and protracted visit to this city, and much pains taken to investigate the charge of promiscous stealing, reports to the Legislature as follows:

"Justice, however, requires me here to say that Ihave investigated the charge of promiscuous stealing, and find it to be greatly exxagerated. I could not ascertain that there were a greater proportion of thieves in that community, than in any ohter of the same number of inhabitants, and perhaps if the city of Nauvoo were compared with St. Louis, orany other wester city, the proportion would "not be so great."

And whereas, The printin office of our open and avowed enemy, Dr. Foster, was set on fire in this city by himself, or by his instruction as we believe, to fan the flame of mobocracy, which fire was only prevented by our vigilant police.(!mr.)

Counterfeiting Nauvoo 1846

Niles' National R. v. 69 p 289 jan. 3 1846; carries notice of 12 indictments by the grand jury of the U. S. district court at Springfield, Ill., against prominent members of the Mormons, for counterfeiting the coin of the U. S., & for passing it. The investigation is said to have uncovered a large ring, in which J. S. also during his lifetime worked with his own hands. B. G. & O. P. among those implicated (See Ford)

Missouri Reporter: St. Louis jan. 12. U. S. no. 16. Bonney was arrested - he gave as character witness Dr. Reuben Knox, pres. of the Missouri Banks who said he only helped him in detecting the murders of Col. Davenport, so Bonney's real character remains ambiguous! Bonney accused many "from the pulpit & the brothel" of being members of a gang of counterfeiters scattered along the western banks of the Miss. R. [(see Bonney, Stone etc.) and Bonney's disclosures resulted in indictments jan. 3 as above?] Same Feb. 5, '46 Mentions circular of Nauvoo Council denying charge of counterfeiting & assassinations (see B. Johnson)

N. R. as above, v. 69 p 352. jan. 31 '46 carries tale of Young's escaping by an impersonator, arrest by U. S. State Marshall for counterfeiting - U. S. Coin. Many in Ill. insist that Gov. Ford send a large enough force & arrest Young & others, but Ford pointed out the amnesty designed to allow the Mormons to leave & feared the Mormons would not leave. Ford Major Warren feared the Mormons would not leave. This had organized & semi-helped & Nauvoo against mobs - This made the split between Ford, who, after balking J. Smith's, fear he must uphold the laws, & the Anti-

Counterfeiting p. 2

Missouri Reporter, Feb 23'46 Major Warren, under date Feb. 12, gives an account of the arrest of Samuel Smith & Thos. Williams, two bogus counterfeiters, near Nauvoo. Sep. 14'46 Capt. Allen's co had escort the 130 Iowa Indians over the Missouri river

Millard Chase said - He offered to give
him a share in the Gold Book for a
deed (Mormonism & the Mormons p 23)
a lie Mexican Mustang & put me in
When he dies it's up, but finally
land & & & Wasp Well-dug gun & pay
for the Chest. (went to Macedonia
& Wash according & dance — Kimball
your line?) — complicated church history
from Boyleston — Where the principle
after Century with Presbyterian

counterfeiting. J. Smith Sr. was implicated while Jesse Downing in counterfeiting more, than United States knowing + escaped punishment. (Hist. Mag. 1870 p. 316)

after typing a regular pension he made nominal purchases and was never completed a lot in. (P. 10 - Kennedy)

He used a water wheel + created water, then steam - He had years made experience in Aspen then before he began the B. + M. proved